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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,107	01/13/2005	Nicolas Martin	4590-361	7106
33308	7590	10/03/2005	EXAMINER	
LOWE HAUPTMAN GILMAN & BERNER, LLP 1700 DIAGNOSTIC ROAD, SUITE 300 ALEXANDRIA, VA 22314			PHAN, DAO LINDA	
			ART UNIT	PAPER NUMBER
			3662	

DATE MAILED: 10/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/521,107

Applicant(s)

MARTIN, NICOLAS

Examiner

Dao L. Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 10-12, 14, 18 and 19 is/are rejected.
- 7) ☒ Claim(s) 8, 9, 13 and 15-17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-7, 10-12, 14, 18-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Lennen (Pat. No. 5,689,271) or LaPadula et al (Pat. No. 5,535,237) or Hurd (Pat. No. 4,578,678).

Lennen teaches a satellite-based positioning receiver with correction of intersatellite cross-correlation errors including a correlation channel 32, 34, each correlator channel having a carrier correlation path 40, in-phase and quadrature, between the signal received, and two respective local quadrature carriers (sine, cosine) generated by an oscillator with digital control of carrier, a code correlation path 48, 60 based on the signals output by the in-phase and quadrature carrier correlation path, with the local codes of the satellite received, provided by a digital generator of local codes, and an integrator 34 for providing, for each local code, signals at the output of the correlator channel of the satellite received.

LaPadula et al teach a satellite-based positioning receiver with correction of intersatellite cross-correlation errors including a correlation channel (fig. 1), each correlator channel having a carrier correlation path 109, in-phase and quadrature, between the signal received, and two respective local quadrature carriers (sine, cosine) generated by an oscillator with digital control of carrier, a code correlation path 105, 115 based on the signals output by the in-phase and quadrature carrier correlation path,

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with the local codes of the satellite received, provided by a digital generator of local codes, and an integrator 117 for providing, for each local code, signals at the output of the correlator channel of the satellite received.

Hurd teaches a satellite-based positioning receiver with correction of intersatellite cross-correlation errors including a correlation channel 27, each correlator channel having a carrier correlation path 31, in-phase and quadrature, between the signal received, and two respective local quadrature carriers (sine, cosine) generated by an oscillator with digital control of carrier, a code correlation path 34, 33 based on the signals output by the in-phase and quadrature carrier correlation path, with the local codes of the satellite received, provided by a digital generator of local codes, and an integrator 36 for providing, for each local code, signals at the output of the correlator channel of the satellite received.

3. Claims 8-9, 13, 15-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dao L. Phan whose telephone number is (571)272-6976. The examiner can normally be reached on M-F 9:00-5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Tarcza can be reached on (571)272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
DAO PHAN  
PATENT EXAMINER